

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

CRIM. NO. 14-176(2) (MJD/JSM)

Plaintiff,

v.

REPORT AND RECOMMENDATION

ANTONIO MORALES ADALIT,

Defendant.

This matter is before the Court upon Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 78]. LeeAnn Bell, Assistant United States Attorney, appeared on behalf of the Government. James B. Sheehy, Esq., appeared on behalf of defendant, who was personally present. This matter has been referred to this Court for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1(c).

On May 12, 2015, defendant filed a motion to suppress physical evidence obtained in connection with the execution of a search warrant in Owatonna, Minnesota. [Docket No. 78]. At the hearing, the Court advised defendant's counsel that the motion provided no factual or legal basis from which this Court could determine any grounds for invalidating the search. Accordingly, the Court ordered defendant's counsel to file a supplemental brief on or before May 15, 2015. Defendant's counsel stated that if he did not file a supplemental brief by that date, the Court could deem the motion as moot.

As of this date, no brief has been filed by defendant. Accordingly, per the representations of defendant's counsel,

IT IS HEREBY RECOMMENDED that

Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 78] be **DENIED** as moot.

Dated: May 21, 2015

s/ Janie S. Mayeron
JANIE S. MAYERON
United States Magistrate Judge

NOTICE

Under D. Minn. LR 72.2(b) any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties by **June 4, 2015** a writing which specifically identifies those portions of this Report to which objections are made and the basis of those objections. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under this Rules shall be limited to 3500 words. A judge shall make a de novo determination of those portions to which objection is made. This Report and Recommendation does not constitute an order or judgment of the District Court, and it is therefore not appealable directly to the Circuit Court of Appeals.